

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION

UNITED STATES OF AMERICA

v.

No. 4:08CR00061 SWW

ANTHONY WALTER CHANDLER

PRELIMINARY ORDER OF FORFEITURE
Fed.R.Crim.P. 32.2(b)

IT IS HEREBY ORDERED THAT:

1. As the result of the guilty plea to Count Five of the Second Superseding Indictment, and a stipulation of the defendant in which he agreed to the forfeiture the Government sought pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), defendant shall forfeit to the United States:

a. All property used or intended to be used in any manner or part to commit the commission of offenses involving Title 18 U.S.C. Section 922(g)(1.

2. The Court has determined, based on the evidence already in the record that the following property is subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), and that the government has established the requisite nexus between such property and such offenses:

- 1) **One Browning BAR .30-06 rifle, serial number 137NZ21428 with scope, loaded, with 4 rounds of black tipped ammunition**
- 2) **One Marlin Model 60, .22LR rifle, serial number 16312818 fully loaded with ammunition**

- 3) One Browning .22 rifle, serial number ST20435
- 4) One Colt AR-15 Sporter II, .223 rifle, serial number SP3233331 loaded with 30 round magazine
- 5) One Remington 870 Express 12 gage, serial number D934989M with scope
- 6) One Remington Sportsman 48 20 gage, serial number 3845242, loaded with 5 rounds of ammunition
- 7) One Sears and Roebuck Model 200 12 gage, serial number P323537
- 8) One Remington 870 Wingmaster 12 gage, serial number T725302V
- 9) One Ruger, .22 pistol, serial number 462478, with holster and 2 magazines
- 10) One Glock 36, .45 ACP pistol, serial number EWW369, with shoulder holster and 2 magazines
- 11) One SIG SP2340, .40 caliber pistol, serial number SP0027030, loaded with shoulder holster and 2 magazines
- 12) One Ruger 22/45, .22 pistol, serial number 222-21683, loaded, with holster
- 13) One Davis Model DM, .22 magnum derringer, serial number 445077
- 14) 12 loaded 30 round magazines for AR-15
- 15) 1 loaded 40 round magazine for AR-15
- 16) 3 loaded 20 round magazines for AR-15

4. Upon the entry of this Order, the United States Attorney General (or a designee) is authorized to seize the above listed property and to conduct any discovery proper in identifying, locating, or disposing of the property subject to forfeiture, in accordance with Fed.R.Crim.P. 32.2(b)(3).

5. Upon entry of this Order, the United States Attorney General (or a designee) is authorized to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.

6. The United States shall publish notice of the order and its intent to dispose of the property in such a manner as the

United States Attorney General (or a designee) may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the Subject Property.

7. Any person, other than the above named defendant, asserting a legal interest in the Subject Property may, within thirty days of the final publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing without a jury to adjudicate the validity of his alleged interest in the Subject Property, and for an amendment of the order of forfeiture, pursuant to Title 21 U.S.C. §853(n)(2).

8. Pursuant to Fed.R.Crim.P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment. If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed.R.Crim.P. 32.2(c)(2).

9. Any petition filed by a third party asserting an interest in the Subject Property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the Subject Property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the Subject Property, any additional facts supporting the

petitioner's claim and the relief sought.

10. After the disposition of any motion filed under Fed.R.Crim.P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

11. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. 853(n)(2) for the filing of third party petitions.

12. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed.R.Crim.P. 32.2(e).

SO ORDERED this 6th day of August, 2009.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE